

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE MIDDLE DISTRICT OF ALABAMA**  
**NORTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CECILIO PACACHE,

Defendant.

Case Number: 2:06-cr-00169-WKW-SRW-1

**DEFENDANT'S MOTION  
TO CONTINUE**

**COMES NOW** Defendant Cecilio Pacache, by and through his undersigned counsel, respectfully moves this Honorable Court to continue the above named matter. As support, Defendant Pacache declares as follows:

This Court scheduled a pretrial conference for January 11, 2008 and scheduled the trial for February 4, 2008.

Defendant Pacache's undersigned counsel was permitted to substitute in on this matter on October 30, 2007. Mr. Pacache's counsel has since invested considerable time in researching this case. The discovery in this matter is voluminous. However, in as much as Defendant had been the last of the 16 co-defendants to be arrested, and as his counsel has been involved in his representation for several months less than his colleagues, Defendant has not been able to conclude plea negotiations with the United States.

Defendant Pacache's undersigned counsel has spoken with the United States Attorney's Office. They have agreed to support this motion. Mr. Pachache's counsel has also spoken to Defendant Charles Craig's counsel, Thomas M. Goggans. Mr. Goggans joins in this motion.

**WHEREFORE**, for the foregoing reasons, Defendant Cecilio Pacache petitions this Honorable Court to **GRANT** a continuance in this case. This relief will serve the cause of justice, and will not prejudice the United States of America.

RESPECTFULLY SUBMITTED THIS 10<sup>TH</sup> DAY OF JANUARY 2008.

/s/ Phach T. Ngo  
PHACH T. NGO  
Attorney for Mr. Cecilio Pacache  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have served this motion, by email delivery to Ms. A. Clark Morris, Esquire, Assistant United States Attorney at [clark.morris@usdoj.gov](mailto:clark.morris@usdoj.gov).

I hereby certify that I have also served this motion, by email delivery to Thomas M. Goggans, Esquire, counsel for Defendant Charles Craig at tgoggans@tgoggans.com.

DONE THIS 10<sup>TH</sup> DAY OF JANUARY, 2008.

/s/ Phach T. Ngo  
PHACH T. NGO  
Attorney for Mr. Cecilio Pacache